



## **Planning Committee North – 4<sup>th</sup> June 2023**

### **UPDATES**

#### **1. AGENDA ITEM 7: Leonardslee Gardens, Brighton Road, Lower Beeding**

*Planning Advice Note: Lower Beeding Neighbourhood Plan and Water Neutrality (June 2023):*

- 1.1 Subsequent to the writing of the Committee Report, in June 2023 Horsham District Council endorsed a Planning Advice Note (PAN) that highlights how the policies in the Lower Beeding Neighbourhood Plan (LBNP), are considered to align with National Planning Policy. This Planning Advice Note forms a material consideration to take into account by decision makers when determining planning applications. For the proposal at Leonardslee, the relevant LBNP policies are those listed at para 2.1 of the committee report; policies 1, 2, 3, 4, and 18.
- 1.2 As the PAN highlights, subject to water Neutrality being demonstrated, LBNP Policies 1, 2, 3, 4 are considered consistent with the NPPF and carry Significant weight. Policy 18 is identified as carrying Significant weight. Given the weight afforded to the LBNP at referendum stage by the PAN, is Significant, it is important to consider the relevant LBNP policies in the assessment of the proposal, as summarised below.
- 1.3 As detailed at Section 6 of the Committee Report, the proposal is ancillary to the existing use of the site (LBNP Policy 18) and, as amended, is considered to conserve, and enhance the natural environment and landscape character (LBNP Policy 2), in part by incorporating landscaping and additional trees and hedging to provide new biodiversity net gain opportunities aligned with the ecology of the Parish (LBNP Policy 1), to mitigate and compensate for past loss of green infrastructure (LBNP Policy 3). The proposed car park redesign will incorporate sustainable resource measures (LBNP Policy 4) and in and of itself will have no significant detrimental or unacceptable impact on residential amenity or the local road network.
- 1.4 Therefore, for these reasons and those already set out in the Committee Report, the development proposal is considered in compliance with the Lower Beeding Neighbourhood Plan, which is a material planning consideration of Significant weight at Referendum stage.

*Habitat Regulations Assessment (HRA) Screening: Arun Valley Sites*

- 1.5 In September 2021, the Council received a Position Statement from Natural England that it cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site (the Arun Valley sites). It advises that development within this

zone must not add to this impact and one way of achieving this is to demonstrate water neutrality.

- 1.6 The development proposal includes a play area with a water play element. On the technical plan drawing, a water pump is shown integral to one piece of play equipment within a 'water play' area. Since the agenda has been published, the applicant has clarified the installation and confirmed the intention is to install a water recycle system as part of the play area installation, this would be using rainwater filtered through a plant system to clean. It was never intended to connect to mains water for this piece of equipment.
- 1.7 The above outcome can be secured by an amended Condition 11 as set out in the committee report, as below:

***Pre-Occupation Condition:*** *No part of the development hereby permitted shall be used or brought into use until full details of all hard and soft landscaping works for that part of the development (a/b/c) shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:*

*(a) All the development:*

- *Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details*
- *knee rail around retained tree, this must be notes in the plan and retained to protect the tree's RPA from compaction when car park is in use*
- *Clarity to extent of hard surfacing area to be retained for access to overflow car park*
- *location of the entrance gate to the parking area when in use*
- *Details of all hard surfacing materials and finishes*
- *Details of all boundary treatments and bin provision*

*(b) Play Area:*

- *installation of surfacing and play equipment within RPA's*
- *Demonstrate on plan minimum required activity play surfacing met in accordance with suppliers' recommendations*
- *detail for proposed type of play surfacing and bin provision.*
- *Artificial grass proposed near playhouse meets critical fall height for equipment in accordance with BS EN1176*
- *play areas require steel footings be included with all pieces of timber play equipment to prolong their life shelfe*
- *post installation inspection by RoSPA recommended prior to play area being open to the public*
  - *Details of the water recycle system as part of the play area installation, using rainwater filtered through a plant system to clean, with no connection to mains water.*

*(c) Main (northern) Car park:*

- *Increase planting and softening within the car park. Proposed trees should be connected as a soft strip and planting hedgerow in between*
- *knee rail around existing mature tree to avoid ingress into RPA's*

*The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.*

*Reason: To ensure a satisfactory development that is sympathetic to the landscape character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets, to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).and in the interests of visual amenity in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).*

- 1.8 Horsham District Council, as Competent Authority under its duties under the Habitat Regulations, has undertaken a screening that has concluded, given the absence of intention to connect to the mains water for the play area 'water play' equipment, that without mitigation in place, it is possible to rule out likely significant effects. As the development will not affect any of the sensitive features/threats to the Arun Valley SAC/SPA/Ramsar site, the LPA considers that, without mitigation, the development is not likely to result in a 'likely significant effect' to Arun Valley SAC/SPA/Ramsar site. Therefore, this assessment does not need to proceed to HRA Stage 2: Appropriate Assessment.

End